

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 06-20296

CHARLES D. THOMPSON,

Defendant.

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**ORDER DENYING DEFENDANTS' "MOTION FOR  
DISCOVERY AND EXTENSION OF MOTION CUT-OFF DATE"**

Pending before the court is Defendants' "Motion for Discovery and Extension of Motion Cut-Off Date" filed on June 29, 2006. The parties have briefed the issue and the court concludes that a hearing is unnecessary. See E.D. Mich. LR 7.1(e)(2). For the reasons stated below, the court will deny the motion.

Defendant, who is charged with several controlled substance offenses, claims that he has not received laboratory results for a number of the charges and that he may wish to conduct independent testing and weighing. He further contends that without such discovery he cannot determine what motions, if any, to file before the now-passed June 30, 2006 deadline. However, due to a superceding indictment, the court has already extended this deadline to August 18, 2006. Plaintiff responded that it gave Defendant additional laboratory reports on the day that Defendant filed his motion. Plaintiff further stated that other forthcoming laboratory reports will aid Defendant in deciding whether to file any pretrial motions and that Defendant's motion is moot given the new motion cut-off date. Assuming the laboratory reports are not available in time,

Plaintiff suggested the possibility of a joint motion for an extension of the new motion cut-off date. The court agrees with Plaintiff's argument. Accordingly,

IT IS ORDERED that Defendants' "Motion for Discovery and Extension of Motion Cut-Off Date" [Dkt. # 19] is DENIED WITHOUT PREJUDICE.

S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: July 26, 2006

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, July 26, 2006, by electronic and/or ordinary mail.

S/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522